

CERTIFICATE OF EXPRESS MAILING

NUMBER: EL 831791819 USDATE OF DEPOSIT: JANUARY 14, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mailstop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Paula S. Linkhart
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stanislaw FLASINSKI

§

§ Group Art Unit:

§

§ Examiner:

Serial No.:

§

§ Atty. Dkt. No.: **11899.0235.PCUS00**Filed: **January 14, 2005**

§

§

§

§

§

For: **METHODS FOR USING ARTIFICIAL
POLYNUCLEOTIDES AND
COMPOSITIONS THEREOF TO REDUCE
TRANSGENE SILENCING**

§

§

§

§

**35 USC §371 Application of International
Application PCT/US03/021551**

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants respectfully request that this Information Disclosure Statement be entered and that the references listed on attached Form PTO-1449 be considered by the Examiner and made of record.

The present application is a §371 national application of PCT Application No. PCT/US03/021551 filed July 10, 2003. The PCT Application is relied upon for an earlier filing

date under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d), a copy of the listed documents, C1-C5, are not enclosed as they had been previously cited by or submitted to the U.S. Patent and Trademark Office in the International Search Report dated 27 May 2004.

In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possibly material information, as defined in 37 C.F.R. § 1.56, exists.

The present Information Disclosure Statement is being filed prior to the receipt of a first Office Action on the merits; and hence, is believed to be timely-filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement; however, if any fees should be due, the Commissioner is hereby authorized to deduct said fees from Deposit Account No. 01-2508/11899.0235.PCUS00.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,



Patricia A. Kammerer
Reg. No. 29,775
Attorney for Assignee
MONSANTO TECHNOLOGY LLC

Customer No. 45607
HOWREY SIMON ARNOLD & WHITE, LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
713 787 1400 (phone)
703.336.6950 (fax)

Date: January 14, 2005

Form PTO-1449 (modified)	Atty. Docket No. 11899.0235.PCUS00	Serial No. 10/521288
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Applicant Stanislaw Flasiński	
	Filing Date:	Group:
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1						

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1						

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Klahre <i>et al.</i> , "High Molecular Weight RNAs and Small Interfering RNAs Induce Systemic Posttranscriptional Gene Silencing in Plants", <i>PNAS</i> , 99(18):11981-11986 (Sept. 2002)
	C2	Hamilton <i>et al.</i> , "Two Classes of Short Interfering RNA in RNA Silencing", <i>EMBO J.</i> , 21(17):4671-4679 (2002)
	C3	Han <i>et al.</i> , "Relationship Between Small Antisense RNAs and Aberrant RNAs Associated with Sense Transgene Mediated Gene Silencing in Tomato", <i>Plant J.</i> , 29(4):509-519 (2002)
	C4	Sheng-Zhi <i>et al.</i> , "Nontarget DNA Sequences Reduce the Transgene Length Necessary for RNA-mediated Tospovirus Resistance in Transgenic Plants, <i>Proc. Natl. Acad. Sci.</i> , 94:8261-8266 (1997)
	C5	Thierry <i>et al.</i> , "Sequence Homology Requirements for Transcriptional Silencing of 35S transgenes and Post-Transcriptional Silencing of Nitrite Reductase (Trans)Genes by the Tobacco 271 Locus", <i>Plant Mol. Biol.</i> , 32:1075-1083 (1996)

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.